

The City of Chicopee expects and requires its employees show mutual respect between and among: Department Heads, elected officials, employees, managers, vendors, and contractors, members of the public and other employees such respect is integral to the efficient conduct of the City of Chicopee's business. Behaviors that contribute to a hostile, humiliating or intimidating work environment, including abusive language or behavior, are unacceptable and will not be tolerated.

Definitions:

- A. **Harassment:** Oral, written, graphic, electronic or physical conduct intended to cause tangible harm to another employee with or without malice, that is sufficiently severe, pervasive or persistent so as to interfere with or limit that person's ability to participate in their normal working environment by creating a hostile, humiliating, intimidating or offensive workplace environment.
- B. **Bullying:** Abusive conduct with or without malice, including acts, omissions, or both, that a reasonable person would find hostile, based on the severity, nature and frequency of the aggressor's conduct. Abusive conduct may include, but is not limited to: repeated infliction of verbal abuse such as the use of derogatory remarks, insults, and epithets; verbal or physical conduct of a threatening, intimidating, or humiliating nature; the sabotage or undermining of an employee's work performance; or attempts to exploit an employee's known psychological or physical vulnerability. A single act normally will not generally constitute abusive conduct, but an especially severe and egregious act may meet this standard.

Bullying conduct may include, but is not limited to:

- Degrading, demeaning, insulting, or abusive verbal or written statements
- Taking personal belongings, taunting, teasing, name-calling, or spreading rumors
- Drawing or writing graffiti, slogans, visual displays, or symbols on City property or another's property
- Telling degrading or offensive jokes
- Unwanted physical contact of any kind
- Physical violence, threats of bodily harm, physical intimidation, or stalking
- Threatening letters, emails, instant message, or websites that come within the scope of the City of Chicopee's disciplinary authority
- Effacing, damaging or destroying City or another's property

- C. **Malice:** The desire to cause pain, injury, or distress to another.

Responsibility of all Employees: Each member of the City of Chicopee workforce is responsible for ensuring that his/her conduct does not in any intentional way harass or bully against any other person that he/she has contact with in the performance of his/her duties or while acting within the scope of their employment. In addition, each employee is required to fully cooperate in any investigation of alleged harassment and bullying. Further, employees have an obligation to their fellow employees to intervene and stop any harassment bullying they witness and to immediately report to the appropriate party instances of bullying and harassment.

Designated Officials, for Addressing Harassment and Bullying Complaints: In each Department the Department Head shall utilize the "Procedure for Reporting" for receiving reports and complaints of violations of this policy at the initial level. Individuals may file a report or complaint with the Department Head, or if the complaint involves the Department Head, to Human Resources. When a complaint has been filed, the Department Head must immediately make Human Resources aware of the complaint.

Procedure for Reporting: The following complaint procedure has been established to ensure prompt and effective investigation into allegations of harassment and bullying.

Any person who believes that he or she has been harassed or bullied shall as soon as reasonably practical but not more than 5 working days after the incident:

File a report(s)/Complaint(s) which must be written and consist of the following:

1. The specific conduct objected to,
2. The date(s) and time(s) such conduct took place,
3. The name(s) of the alleged harasser(s) or person believed to be discriminating against them,
4. The location where the conduct occurred,
5. Names of any witnesses,
6. Action sought to remedy the situation,
7. Any other details or information requested by the designated official.

Upon receipt of the complaint the Human Resources Department will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview of all parties. Upon completion of the investigation, the Human Resources Department will inform the person filing the complaint and the person alleged to have committed the

conduct that the investigation has been completed and appropriate action was taken. If the situation continuous or re-occurs the employee complaining may refile a complaint with the Mayor.

Once the Mayor has received a written complaint, he/she will convene a meeting to discuss the complaint. Appropriate action will be taken to investigate the complaint, including taking the matter to the Law Department, if necessary, for further investigation and appropriate action. Thereafter, proposed relief and discipline would be presented.

Retaliation: It will be a violation of this policy for any employee to retaliate in any manner against an employee or citizen who has opposed any behavior that would include harassment or bullying, or who has made a charge, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. It will also be a violation of this policy that any person assisting directly or indirectly to obstruct an investigation or prevent a person from going forward with a complaint.

Consequences of Violation Policy – Discipline and Discharge: Any employee who violates this policy will be subject to appropriate disciplinary action, up to and including termination. In appropriate circumstances, the City may also refer the matter to law enforcement officials for appropriate action.

Confidentiality: In accordance with this policy and shall be subject to a person status right to policy.

City of Chicopee

Bullying and Harassment Policy Acknowledgement

I acknowledge that I received a copy of the City's Bullying and Harassment Policy on _____, 20 . I understand that I can contact the Human Resources Department if I have any questions about the policy.

Printed employee name: _____

Employee Signature: _____

Department: _____

This page is to be signed and returned to Human Resources as soon as possible and kept on file indefinitely.